IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6220 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JAGANNATH BISWAS

Versus

GUJARAT STATE HANDICRAFTS AND HANDLOOM DEVLOP CORP. LTD.

Appearance:

MR Kuriel for Mr. BP TANNA for Petitioner

MR HS MUNSHAW for Respondent No. 1

Mr.K.P. Raval, AGP for Respondent No. 2

RULE UNSERVED for Respondent No. 3

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 17/11/2000

ORAL JUDGEMENT

The matter was ordered to be listed today on 10.11.2000, but the same is not on Board.

2. The matter is mentioned by Shri K.P. Raval, learned Assistant Govt. Pleader, who submitted that learned Additional Advocate General is appearing in the matter and therefore, papers may be called for from the office. Accordingly, the papers are called for.

2. Learned Additional Advocate General mentioned that the order dated 27.9.1990 was duly served in the

department. However, it appears that no action was taken pursuant to that order. The concerned officer has already retired from service. Still, he is present before the Court and tenders unconditional apology saying that he did not have any intention of disobeying the order made by this Court. He further submitted that the officer concerned, who is present before the Court submits that he holds the orders of the Court in high esteem and he cannot think of not complying with the orders. Learned Additional Advocate General further submitted that on the part of the officer concerned the non compliance is not on account of any wilful act on the part of the officer. He submitted that the unconditional apology tendered by the officer may be accepted and the notice issued in this regard may be discharged.

3. Taking into consideration the submissions made by learned Additional Advocate General, looking to the fact that the officer has retired from service, and also looking to the fact that the officer is present before the Court and is tendering unconditional apology, notice issued by this Court is discharged.

4. Shri Kuriel for Shri B.P. Tanna, learned advocate for the petitioner submitted that he has instructions not to press the petition and he may be permitted to withdraw the same. In view of the above, permission to withdraw the petition is granted. Disposed of as withdrawn. Rule is discharged. Interim relief, if any, stands vacated.

17th November 2000 (Ravi R. Tripathi, J.)
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